

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

DAVID A. MOSIG §  
v. § CIVIL ACTION NO. 9:06cv204  
C. SHERWOOD, ET AL. §

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Defendants' Motion to Dismiss be granted and that the complaint be dismissed with prejudice. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that Defendants' Motion to Dismiss for Lack of Jurisdiction (document #3) is **GRANTED** and the complaint is **DISMISSED** with prejudice. Any motion not previously ruled on is **DENIED**.

**SIGNED** this the 11 day of December, 2006.



Thad Heartfield  
United States District Judge